

# Exhibit 23

**JOHNSON CITY POLICE DEPARTMENT  
COMPLAINT AND INQUIRY FORM**

This form should be completed in accordance with the Department's general order on "Internal Investigations."

Nature of Complaint: Unbecoming Conduct 4.1.5 Association with Criminals 6.1.6 Unlawful Compensation/Bribery 15.1.5 Complaint #: 2023-28

Complainant's Name: Captain Mike Adams

Address: 601 E Main St, Johnson City, TN Telephone #: 423-434-6119

Business Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

If applicable, other complainants or witnesses: \_\_\_\_\_

Employee Involved: 1. Investigator Toma Sparks Division: CID

Employee Involved: 2. Investigator Justin P Jenkins Division: CID

Employee Involved: 3. \_\_\_\_\_ Division: \_\_\_\_\_

Location of Incident: Within the City of Johnson City

Date of Incident: June 21, 2022 Time of Incident: 0800am

Summary of Incident: On June 21, 2023, a federal lawsuit was filed in the US District Court of Greenville, TN on behalf of nine "Jane Does" against Inv Toma Sparks, former Chief of Police Karl Turner, former CID Captain Kevin Peters, and the City of Johnson City. The lawsuit made allegations that Inv Sparks and other employees, named and unnamed, conspired with Sean Williams in human sex trafficking and accepted bribes from Sean Williams for immunity from charges. Investigator Justin Jenkins was later named in an amendment filed on the lawsuit on August 26, 2023 alleging the same offenses.

Complaint Received By: CAPT. Andy Hodges Date/Time: 11/1/2023 @ 5:00pm

**THIS SECTION FOR ADMINISTRATIVE ASSIGNMENT ONLY**

FORWARDED INVESTIGATION TO: CAPT. Andy Hodges DATE: 11/01/23

DISPOSITION OR STATUS REPORT DUE ON: 12/02/23

ASSIGNED BY: CHIEF Billy Ch... DATE: 11/01/23

xc: Chief of Police  
Internal Investigation Unit

FORM #1001 - G.O. 300.11  
REVISED: 03/30/05



**JOHNSON CITY POLICE DEPARTMENT**  
**601 East Main Street**  
**Johnson City, Tennessee**

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**Memorandum**

DATE: February 21, 2024  
TO: Chief Billy Church  
FROM: Captain Andy Hodges  
SUBJECT: Extension Request for Internal Investigation 2023-28

Chief Church,

The purpose of this memorandum is request an extension on Internal Investigation 2023-28. The investigation due date is not possible at this time, due to the complexity of the complaint and the federal civil litigation it encompasses. At this point in my investigation, I am awaiting any possible developments through the litigation. Already, two more named defendants have been added to the complaint since it was initiated, and there is a possibility of more being added. I am requesting this case be inactivated pending results or findings from the litigation.

  
Captain Andy Hodges

  
Chief Billy Church



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## Memorandum

DATE: January 30, 2024

TO: Investigator Brady Higgins #720

FROM: Captain Andy Hodges #607

SUBJECT: Notification of Internal Investigation Complaint # 2023-28

The purpose of this memorandum is to notify you that an investigation is being conducted to determine if your actions in the incident outlined below constitute a violation of department policy or procedures. Your rights and responsibilities in regard to internal investigations are found in Section B titled "Employee Rights and Responsibilities" in the department's general order titled "Internal Investigations". A copy of Section B is attached to this notice.

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### 4.1.5 UNBECOMING CONDUCT

Personnel shall not conduct themselves in an indecent, lewd, or disorderly fashion. They shall not be guilty of conduct unbecoming their position and shall not commit acts which would discredit the Department even though such conduct is not specifically set forth in this code of conduct. (Violation subject to written reprimand, 1 to 15 day suspension, demotion or termination.)

### 6.1.6 ASSOCIATION WITH CRIMINALS

Personnel shall avoid regular or continuous association or dealings with persons, other than immediate family, who they know or should know are persons under criminal investigation or indictments, or persons who have a criminal or immoral reputation in the community, except as necessary in the performance of official duties. (Violation subject to written reprimand or 1 to 5 day suspension.)



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**EMPLOYEE RIGHTS AND RESPONSIBILITIES**

1. Employees of the Police Department shall enjoy the same constitutional rights afforded any other citizen of the United States and shall not be intimidated during an internal investigation nor shall their constitutional rights be violated in any manner. The following rights shall be afforded an employee while under investigation for alleged misconduct:
  - a. Employees will be promptly notified in writing (Form #1007 – Notification to the Accused Employee) of any citizen complaint of misconduct against them unless to do so would clearly interfere with the investigation.
  - b. Whenever an employee is a suspect in a criminal investigation, the employee has the right to be represented by council and must be advised of constitutional guarantees before questioning. During administrative interviews which concern alleged violations of rules and regulations, policies, and procedures or any other departmental guidelines, the employee does not have the right to refuse to answer questions and does not have the right to have council present during the interview. During administrative interviews, employees are required to answer all questions relating to their official duties fully and truthfully. Refusal to do so may result in subsequent disciplinary action up to and including dismissal.
  - c. No employee shall be ordered to submit to any type of mechanical or electronic lie detector test such as a polygraph or psychological stress evaluator.
  - d. The employee shall have the right to have a copy or transcript of his/her statement if requested.
  - e. The interview with the employee shall be conducted while the employee is on duty unless the allegation is of such serious nature to require immediate action. Should an employee be summoned while on off-duty status he/she shall be paid or given compensatory time consistent with prevailing departmental orders governing overtime work.
  - f. The appropriate commanders should, if possible, be notified when one of their subordinates is to be interviewed concerning an internal investigation unless to do so would clearly interfere with the investigation.
  - g. Prior to the commencement of the interview, the investigator assigned the internal investigation, shall furnish the subject employee with a written statement of allegations and the employee's rights and responsibilities relative to the investigation.
  - h. The employee under investigation shall be informed prior to the interview as to who is in charge of the investigation of the allegations.

FORM #1007

DISTRIBUTION: ORIGINAL – ACCUSED EMPLOYEE

COPY – IIU AND CASE FILE

REVISED: 09/21/23

SIGNATURE OF ACCUSED EMPLOYEE:

DATE: 01/30/24





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**EMPLOYEE RIGHTS AND RESPONSIBILITIES**

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- j. Interview sessions shall be of reasonable periods with time afforded for adequate rest and meal periods when requested by the person being interviewed.
- k. Prior to interviews involving allegations of criminal conduct against the employee, the employee shall be informed of his/her constitutional rights as guaranteed by the fourth, fifth, and fourteenth amendment and afforded the contents of same.
- l. During the course of a criminal investigation, the employee shall not be threatened with transfer, dismissal, or disciplinary action as the result of exercising his/her constitutional rights.
- m. If an allegation against an employee is found to be false by the result of a departmental investigation, the employee shall have the right to pursue redress through appropriate civil and/or criminal action.
- n. Employees interviewed as a witness may not discuss the interview or their statements with any other employee of the department except when authorized to do so, pending the completion of the investigation. Employees may consult with their attorneys concerning their statements given during the course of the investigation.
- o. Employees being interviewed as principals shall not discuss their statements with any other employee pending the completion of the investigation.

FORM #1007

DISTRIBUTION: ORIGINAL – ACCUSED EMPLOYEE

COPY – IIU AND CASE FILE

REVISED: 09/21/23

SIGNATURE OF ACCUSED EMPLOYEE:

DATE: 01/06/24



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## Memorandum

DATE: January 30, 2024

TO: Lieutenant Jeff Legault #604

FROM: Captain Andy Hodges #607

SUBJECT: Notification of Internal Investigation Complaint # 2023-28

The purpose of this memorandum is to notify you that an investigation is being conducted to determine if your actions in the incident outlined below constitute a violation of department policy or procedures. Your rights and responsibilities in regard to internal investigations are found in Section B titled "Employee Rights and Responsibilities" in the department's general order titled "Internal Investigations". A copy of Section B is attached to this notice.

On June 21, 2023, a federal lawsuit was filed in the US District Court Greenville, TN, on behalf of nine "Jane Does" against Inv. Toma Sparks, former Chief of Police Karl Turner, former CID Captain Kevin Peters, and the City of Johnson City. The lawsuit made allegations that Inv. Sparks and other employees, named and unnamed, conspired with Sean Williams in human sex trafficking and accepted bribes from Sean Williams for immunity from charges. Other investigators were later named in an amended claim. You have now been added in another amended claim, alleging the following offenses.

### 4.1.5 UNBECOMING CONDUCT

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### 6.1.6 ASSOCIATION WITH CRIMINALS

Personnel shall avoid regular or continuous association or dealings with persons, other than immediate family, who they know or should know are persons under criminal investigation or indictments, or persons who have a criminal or immoral reputation in the community, except as necessary in the performance of official duties. (Violation subject to written reprimand or 1 to 5 day suspension.)



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  - a. Employees will be promptly notified in writing (Form #1007 – Notification to the Accused Employee) of any citizen complaint of misconduct against them unless to do so would clearly interfere with the investigation.
  - b. Whenever an employee is a suspect in a criminal investigation, the employee has the right to be represented by council and must be advised of constitutional guarantees before questioning. During administrative interviews which concern alleged violations of rules and regulations, policies, and procedures or any other departmental guidelines, the employee does not have the right to refuse to answer questions and does not have the right to have council present during the interview. During administrative interviews, employees are required to answer all questions relating to their official duties fully and truthfully. Refusal to do so may result in subsequent disciplinary action up to and including dismissal.
  - c. No employee shall be ordered to submit to any type of mechanical or electronic lie detector test such as a polygraph or psychological stress evaluator.
  - d. The employee shall have the right to have a copy or transcript of his/her statement if requested.
  - e. The interview with the employee shall be conducted while the employee is on duty unless the allegation is of such serious nature to require immediate action. Should an employee be summoned while on off-duty status he/she shall be paid or given compensatory time consistent with prevailing departmental orders governing overtime work.
  - f. The appropriate commanders should, if possible, be notified when one of their subordinates is to be interviewed concerning an internal investigation unless to do so would clearly interfere with the investigation.
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- m. If an allegation against an employee is found to be false by the result of a departmental investigation, the employee shall have the right to pursue redress through appropriate civil and/or criminal action.
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## Memorandum

DATE: November 8, 2023

TO: Investigator Toma Sparks #643

FROM: Captain Andy Hodges #607

SUBJECT: Notification of Internal Investigation Complaint #2023-28

The purpose of this memorandum is to notify you that an investigation is being conducted to determine if your actions in the incident outlined below constitute a violation of department policy or procedures. Your rights and responsibilities in regard to internal investigations are found in Section B titled "Employee Rights and Responsibilities" in the department's general order titled "Internal Investigations". A copy of Section B is attached to this notice.

On November 1, 2023, Captain Mike Adams filed a complaint against you. The following is the narrative from the complaint: On June 21, 2023, a federal lawsuit was filed in the US District Court of Greenville, TN on behalf of nine "Jane Does" against Inv Toma Sparks, former Chief of Police Karl Turner, former CID Captain Kevin Peters, and the City of Johnson City. The lawsuit made allegations that Inv Sparks and other employees, named and unnamed, conspired with Sean Williams in human sex trafficking and accepted bribes from Sean Williams for immunity from charges. Investigator Justin Jenkins was later named in an amendment filed on the lawsuit on August 26, 2023 alleging the same offenses.

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**EMPLOYEE RIGHTS AND RESPONSIBILITIES**

15.1.5 UNLAWFUL COMPENSATION, BRIBERY

Personnel shall not corruptly request, solicit, accept, or agree to accept, any pecuniary or other benefit not authorized by law for past, present, future performance, non- performance, or for any act or omissions believed to have been either within the official discretion of Department personnel, or in violation of Tennessee law.

(Violation subject to termination.)

11/08/23



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11/08/23





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## Memorandum

DATE: November 8, 2023

TO: Investigator Justin Jenkins #602

FROM: Captain Andy Hodges #607

SUBJECT: Notification of Internal Investigation Complaint #2023-28

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**EMPLOYEE RIGHTS AND RESPONSIBILITIES**

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11.8.23



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FORM #1007

DISTRIBUTION: ORIGINAL – ACCUSED EMPLOYEE

COPY – IIU AND CASE FILE

REVISED: 09/21/23

SIGNATURE OF ACCUSED EMPLOYEE:

DATE:

11.8.23